

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RODNEY FERRER,

Plaintiff,

- v -

Civ. No. 9:14-CV-1370
(GTS/DJS)

STEVEN RACETTE, *et al.*,

Defendants.

APPEARANCES:

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JEFFREY P. MANS, ESQ.

DANIEL J. STEWART
UNITED STATES MAGISTRATE JUDGE

ORDER

As part of the Court's discovery conference held on June 8, 2016, counsel for the Defendants were instructed to provide to chambers the personnel files for their clients at the earliest possible date. Dkt. No. 68. On July 24, 2016, the personnel file for Defendant Daniel McClenning was reviewed by the Court.

The *in camera* review of Defendant McClenning's personnel file reflected one set of documents that may possibly be used for impeachment purposes, or as part of the supervisory claim. When retrieving the personnel file, Defendant's Counsel Jeffrey Mans shall make a copy of the thirteen total pages from the personnel file which have been tagged and paper clipped together by the Court. Counsel shall redact any information regarding the Defendant's date of birth, home address, and social security number. The redacted copies shall be provided to the Plaintiff's counsel, with copies to the counsel for the remaining Defendants. Because of the nature and circumstances of the case, and the specific needs of the correctional facility, the Plaintiff's counsel is directed not to provide copies of the disclosed portions of the personnel file to the Plaintiff. However, counsel is not barred from discussing the content of the documents with her client.

The Court directs that the Defendant's Counsel immediately retrieve from the Court's courtroom deputy, Maria Blunt, the McClenning personnel file.

IT IS SO ORDERED.

Date: July 24, 2016

Albany, New York



Daniel J. Stewart
U.S. Magistrate Judge